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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARCEL MALU MALANGA,
TYLER CHRISTIAN THOMPSON, JR.,
BENJAMIN REUBEN ZALMAN-
POLUN, and
JOSEPH PETER MOESSER.

Defendants.

Case: 2:25-cr-00153
Assigned To : Shelby, Robert J.
Assign. Date : 4/16/2025
Description: USA v. Malanga et al

INDICTMENT

Count 1: 18 U.S.C. § 2339A, Conspiracy
to Provide Material Support and
Resources

Count 2: 18 U.S.C. § 2339A, Provision of
Material Support and Resources

Count 3: 18 U.S.C. § 2332a(b),
Conspiracy to Use Weapons of Mass
Destruction

Count 4: 18 U.S.C. § 2332f(a)(2),
Conspiracy to Bomb Places of Public
Use, Government Facilities, Public
Transportation Systems and Infrastructure
Facilities

Count 5: 18 U.S.C. § 956, Conspiracy to Murder and Kidnap Persons in a Foreign Country

Count 6: 18 U.S.C. § 924(k)(2), Taking a Firearm Out of The United States to Engage in a Felony [MALANGA]

Count 7: 18 U.S.C. § 924(k)(2), Taking a Firearm Out of The United States to Engage in a Felony [THOMPSON]

THE GRAND JURY CHARGES:

OBJECT OF THE CONSPIRACY

1. The object of the conspiracy was to unlawfully carry out a coup d'état in the Democratic Republic of the Congo ("DRC"). The coconspirators conducted an armed military operation ("Armed Coup Attack") specifically targeting DRC President Félix Tshisekedi and Deputy Prime Minister for the Economy Vital Kamerhe ("Kamerhe"). Christian Malanga ("Christian") acted as a leader and organizer of these rebel forces. It was the goal of these rebel forces to topple the DRC government and to murder President Félix Tshisekedi, Kamerhe, and others, with the goal of installing Christian as the new president of the DRC. They intended on renaming the DRC to New Zaire. Marcel

Malanga (“MALANGA”) identified himself as the “Chief of Staff of the Zaire army” and also acted as a leader of the rebel forces. Benjamin Zalman-Polun (“POLUN”) was Christian Malanga’s chief of staff. Joseph Peter Moesser (“MOESSER”) was the explosives maker, explosives technician, and explosives supplier. Tyler Thompson (“THOMPSON”) was a soldier and drone specialist/operator.

2. It was also an object of the conspiracy for Christian, MALANGA, THOMPSON, POLUN, and MOESSER to provide material support and resources including services, training, expert advice or assistance, communication equipment, weapons, explosives, and personnel to the rebel army which was formed to overthrow the DRC government.

3. An additional object of the conspiracy was to acquire and use weapons of mass destruction during the Armed Coup Attack. The coconspirators planned to use bombs that could be deployed to their targets by drone(s). Targets included people, private residences, and public buildings. They also intended to attach a flamethrower device to a drone and use it as an incendiary device to light people on fire.

MANNER AND MEANS OF THE CONSPIRACY

4. The defendants MALANGA, THOMPSON, POLUN, and MOESSER, and their unindicted coconspirators, known and unknown to the Grand Jury, acted in concert to carry out the objectives of the conspiracy, both inside the United States and abroad, through various means including, but not limited to:

- a. Conducting an Armed Coup Attack with the intent to overthrow the government of the DRC.
- b. Planning, scouting out targets, and identifying victims for the Armed Coup Attack, with the purpose and intent to murder other persons, including high-level DRC government officials.
- c. Recruiting others to join in Armed Coup Attack as personnel for the rebel army and, in some cases, recruiting personnel in exchange for money.
- d. Acquiring and attempting to acquire explosive and incendiary devices with the purpose and intent to use such devices to target individuals, private property, and DRC government buildings.
- e. Communicating with and procuring destructive devices, to include carrier devices such as drones, explosives, incendiary devices, and delivery mechanisms, from businesses, private parties, and at least one individual associated with a foreign military to effectuate the Armed Coup Attack.
- f. Procuring military equipment to include firearms, ammunition, uniforms, and communication equipment.
- g. Planning to transport, and transporting, weapons, explosives, and resources from the United States to the DRC to effectuate the Armed Coup Attack.
- h. Engaging in firearms and weapons training in the United States and in Africa to provide services and support during the conspiracy and Armed Coup Attack.

i. Communicating over social media platforms and meeting with each other in person to plan the Armed Coup Attack.

OVERT ACTS

5. In furtherance of the conspiracy and to achieve the objects thereof, the defendants and others committed and caused to be committed, in the District of Utah, the DRC, and elsewhere, at least one of the following overt acts, among others:

a. MALANGA, THOMPSON, POLUN, MOESSER, and others made operational and logistical plans, to overthrow the DRC government.

b. From in or about July 2023 through in or about March 2024, while in the United States, MALANGA corresponded with an individual claiming to work with a foreign military about drones and “shells used for air strikes.” MALANGA also attempted to acquire hornet drones and shells that could be dropped from a drone.

c. In or about the summer of 2023, MALANGA, while in Utah, attempted to recruit Person #1, who was in Utah, to travel to Africa to perform security work, “like Secret Service” work, for Christian.

d. In or about early 2024, MALANGA and THOMPSON engaged in firearms training with handguns and rifles at a shooting range in the Salt Lake City, Utah, area.

e. On or about February 4, 2024, POLUN flew to Salt Lake City, Utah, to assist MALANGA with recruiting others to join the Armed Coup Attack.

f. In or about February 2024, MALANGA and POLUN, while in Utah, attempted to recruit Person #2, who was also in Utah, by offering him \$50,000 to go to Africa to “invade” someone’s home and to join their Armed Coup Attack to “get everyone ready for arresting the Secretary of Defense” and to “raid the premises.”

g. On or about February 25, 2024, MOESSER messaged Christian where he confirmed the prior meeting he had with both MALANGA and POLUN several days prior relating to, among other things, his work on “a proto-type of the other two units that you need.” MOESSER also inquired about a shipping company that delivers to “the Congo.”

h. On or about February 29, 2024, MALANGA attempted to recruit potential soldiers by posting a message on Social Media Platform #1, which read “If you want to make \$50-100k message me (warriors only).”

i. On or about March 3, 2024, Christian responded to MOESSER’s February 25, 2024 message where he re-confirmed their agreement stating, “I look forward to following out our plan together we discussed many times. Now is the time for change.”

j. MALANGA and THOMPSON researched and shopped for drones and drone attachments, including a TF-19 Wasp Flamethrower.

k. Between approximately March 8 and March 12, 2024, MALANGA messaged with Person #3 to discuss the capabilities of a DJI S1000 drone and to negotiate the purchase of that drone.

l. On or about March 12, 2024, MALANGA traveled from Utah to California to purchase a DJI S1000 drone that was to be used in the Armed Coup Attack.

m. On or about March 12, 2024, MALANGA met in person with Person #3 in Los Angeles, California and purchased a DJI S1000 drone from the seller.

n. On or about March 12, 2024, THOMPSON and Person #4 drove to the Salt Lake City International Airport and picked up the DJI S1000 drone purchased by MALANGA in Los Angeles, California.

o. On an unknown date, MALANGA and THOMPSON acquired a second drone, a DJI Mavic 2, that was to be used in the Armed Coup Attack.

p. In or about March 2024, Person #5 observed THOMPSON conducting test flights with the DJI Mavic 2 drone.

q. In or about March 2024, Person #5 observed THOMPSON and MALANGA attempting to conduct test flights with the DJI S1000 drone.

r. On or about March 13, 2024, THOMPSON contacted the seller of a TF-19 Wasp Flamethrower attachment “on behalf of Christian Malanga” to inquire about methods of acceptable payment.

s. On or about March 22, 2024, MALANGA purchased a TF-19 Wasp Flamethrower drone attachment.

t. On or about March 27, 2024, MALANGA emailed the seller of the TF-19 Wasp Flamethrower to request a tutorial explaining how to attach it to a DJI S1000 drone.

u. On or about March 29, 2024, MALANGA requested, via email, 25 military patches depicting the flag of the former Republic of Zaire from a Utah-based company.

v. On or about March 29, 2024, MALANGA directed Person #5 to purchase a drone payload airdrop system from an online seller for him to be used in the Armed Coup Attack.

w. On or about March 30, 2024, in preparations for the trip to Africa, MOESSER texted a photo of his [MOESSER's] United States Passport.

x. In or about April 2024, MALANGA attempted to recruit Person #6, who was located in Utah, to travel to Africa to "help provide security," and MALANGA informed him that a passport application could be expedited.

y. In or about April 2024, MALANGA, THOMPSON, MOESSER, and Person #2, practiced installing the TF-19 Wasp Flamethrower attachment to the DJI S1000 drone at MOESSER's residence in West Valley City, Utah.

z. Between in or about March and April 2024, MALANGA and THOMPSON corresponded via email with the seller of the flamethrower attachment.

aa. On or about April 8, 2024, MALANGA, THOMPSON, and MOESSER met together at MOESSER's residence in Utah where MOESSER demonstrated and provided training and instruction to the other members of the conspiracy on how the bombs/destructive devices worked.

bb. On or about April 8, 2024, MALANGA directed Person #5 to purchase a 500-lumen tactical weapon flashlight laser sight from an online seller for MALANGA.

cc. On or about April 10, 2024, MALANGA possessed and carried an “XDE Smith & Weason” [sic] .45 caliber firearm from the United States to Africa.

dd. On or about April 10, 2024, THOMPSON possessed and carried a 1911 Firestorm .45 caliber firearm from the United States to Africa. MOESSER was the original purchaser of this firearm.

ee. On or about April 10, 2024, MALANGA and THOMPSON traveled from Utah to Africa with the DJI S1000 drone, the TF-19 Wasp Flamethrower attachment, and the DJI Mavic 2 drone.

ff. On or about April 13, 2024, MALANGA and THOMPSON engaged in firearms training in Africa with an AR-15 rifle and a Glock 17 9mm handgun.

gg. On or about April 23, 2024, THOMPSON searched online for “blunderbuss gun powder nearby.”

hh. On or about May 1, 2024, while in Africa, MALANGA purchased four items from an online seller, including a battery charger, an adapter plug for a battery charger, a drone speaker/microphone, and a GoPro camera, and MALANGA had them shipped on the next day to an address in Draper, Utah.

COUNT 1

18 U.S.C. § 2339A

Conspiracy to Provide Material Support and Resources

Beginning on a date unknown but no later than July 2023, and continuing through on or about May 19, 2024, in the District of Utah and elsewhere, including the Democratic Republic of the Congo, the defendants,

MARCEL MALU MALANGA,
TYLER CHRISTIAN THOMPSON, JR.,
BENJAMIN REUBEN ZALMAN-POLUN, and
JOSEPH PETER MOESSER

conspired and agreed with each other, and other persons known and unknown to the Grand Jury, to provide material support and resources, as that term is defined in 18 U.S.C. § 2339A(b)(1), including property, services, training, expert advice and assistance, communications equipment, weapons, explosives, personnel (including themselves), and transportation, knowing and intending that they were to be used in preparation for, and in carrying out, a violation of 18 U.S.C. § 956 (conspiracy to commit at a place outside the United States an act that would constitute the offense of murder, if committed in the special maritime and territorial jurisdiction of the United States, where one of the conspirators committed an act within the jurisdiction of the United States to effect an object of the conspiracy), all in violation of 18 U.S.C § 2339A.

COUNT 2
18 U.S.C. § 2339A
Provision of Material Support and Resources

Beginning on a date unknown but no later than July of 2023, and continuing through on or about May 19, 2024, in the District of Utah and elsewhere, including the Democratic Republic of the Congo, the defendants,

MARCEL MALU MALANGA,
TYLER CHRISTIAN THOMPSON, JR.,
BENJAMIN REUBEN ZALMAN-POLUN, and
JOSEPH PETER MOESSER

did provide material support and resources, as that term is defined in 18 U.S.C. § 2339A(b)(1), including property, services, training, expert advice and assistance, communications equipment, weapons, personnel (including themselves), and transportation, knowing and intending that they were to be used in preparation for, and in carrying out, a violation of 18 U.S.C. § 956 (conspiracy to commit at a place outside the United States an act that would constitute the offense of murder, if committed in the special maritime and territorial jurisdiction of the United States, where one of the conspirators committed an act within the jurisdiction of the United States to effect an object of the conspiracy), all in violation of 18 U.S.C § 2339A.

COUNT 3
18 U.S.C. § 2332a(b)
Conspiracy to Use Weapons of Mass Destruction

Beginning on a date unknown but no later than July of 2023, and continuing through on or about May 19, 2024, in the District of Utah and elsewhere, including the Democratic Republic of the Congo, the defendants,

MARCEL MALU MALANGA,
TYLER CHRISTIAN THOMPSON, JR.,
BENJAMIN REUBEN ZALMAN-POLUN, and
JOSEPH PETER MOESSER

who are United States nationals, knowingly conspired and agreed with each other, and other persons known and unknown to the Grand Jury, to use a weapon of mass destruction, to wit, destructive devices as defined in 18 U.S.C. § 921, outside the United States, all in violation of 18 U.S.C. § 2332a(b).

COUNT 4
18 U.S.C. § 2332f(a)(2)
Conspiracy to Bomb Places of Public Use, Government Facilities,
Public Transportation Systems and Infrastructure Facilities

Beginning on a date unknown but no later than July of 2023, and continuing through on or about May 19, 2024, in the District of Utah and elsewhere, including the Democratic Republic of the Congo, the defendants,

MARCEL MALU MALANGA,
TYLER CHRISTIAN THOMPSON, JR.,
BENJAMIN REUBEN ZALMAN-POLUN, and
JOSEPH PETER MOESSER

who are United States nationals, conspired to knowingly and unlawfully deliver, place, discharge, and detonate an explosive and other lethal device, to wit, destructive devices as defined in 18 U.S.C. § 921, in, into, or against a state or government facility, to wit, the Palais de la Nation in the Democratic Republic of the Congo, outside of the United States, with the intent to cause death or serious bodily injury, all in violation of 18 U.S.C. § 2332f(a)(2).

COUNT 5

18 U.S.C. § 956

Conspiracy to Kill or Kidnap Persons in a Foreign Country

Beginning on a date unknown but no later than July of 2023, and continuing through on or about May 19, 2024, in the District of Utah and elsewhere, including the Democratic Republic of the Congo, the defendants,

MARCEL MALU MALANGA,
TYLER CHRISTIAN THOMPSON, JR.,
BENJAMIN REUBEN ZALMAN-POLUN, and
JOSEPH PETER MOESSER

knowingly conspired and agreed with each other, and others known and unknown to the Grand Jury, to commit at any place outside the United States an act that would constitute the offense of murder and kidnapping if committed in the special maritime and territorial jurisdiction of the United States, and in so doing, committed an act within the jurisdiction of the United States to effect any object of the conspiracy, and

In furtherance of the conspiracy and to accomplish the object of the conspiracy, defendants MALANGA, THOMPSON, POLUN, MOESSER, and other conspirators known and unknown to the Grand Jury, committed overt acts, including those alleged in paragraph 5, incorporated herein by reference, all in violation of 18 U.S.C. § 956(a).

COUNT 6

18 U.S.C. § 924(k)(2)

Taking a Firearm Out of The United States to Engage in a Felony

On or about April 10, 2024, in the District of Utah and elsewhere, including the Democratic Republic of the Congo, the defendant,

MARCEL MALU MALANGA,

did knowingly take out of the United States a firearm, that is, an “XDE Smith & Weason [sic] .45 He116508,” with intent to engage in or to promote conduct that constitutes a felony, that is an offense punishable by imprisonment for a term exceeding one year, all in violation of 18 U.S.C. § 924(k)(2).

COUNT 7

18 U.S.C. § 924(k)(2)

Taking a Firearm Out of The United States to Engage in a Felony

On or about April 10, 2024, in the District of Utah and elsewhere, including the Democratic Republic of the Congo, the defendant,

TYLER CHRISTIAN THOMPSON, JR.,

did knowingly take out of the United States a firearm, that is, a 1911 Firestorm .45 caliber firearm, with intent to engage in or to promote conduct that constitutes a felony, that is an offense punishable by imprisonment for a term exceeding one year, all in violation of 18 U.S.C. § 924(k)(2).

NOTICE OF INTENT TO SEEK FORFEITURE


Pursuant to 18 U.S.C. § 981(a)(1)(G) and 28 U.S.C. § 2461(c), upon conviction of any offense violating 18 U.S.C. §§ 2339A, 2332a, and/or 2332f, the defendant(s) shall forfeit to the United States of America all assets, foreign or domestic as further described in 18 U.S.C. § 981(a)(1)(G)(i) through (iv).

Pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), upon conviction of any offense violating 18 U.S.C. §§ 922 or 924 or any violation of any other criminal law

of the United States, the defendant shall forfeit to the United States of America any firearm or ammunition involved in or used in the commission of the offense.

The United States may seek a forfeiture money judgment and may seek to forfeit substitute assets.

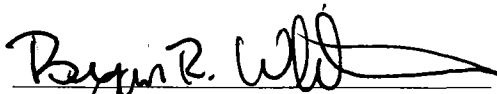
A TRUE BILL

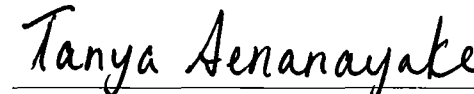


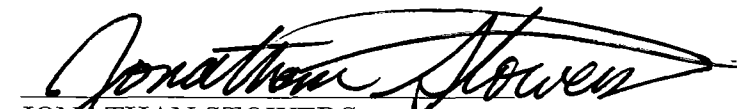
FOREPERSON OF THE GRAND JURY

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